

STEVEN G. KALAR  
Federal Public Defender  
ELIZABETH M. FALK  
Assistant Federal Public Defender  
450 Golden Gate Avenue  
San Francisco, CA 94102  
Telephone: (415) 436-7700

Counsel for Defendant VIDEAU

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDRE VIDEAU,

Defendant.

No. CR 12-820 EMC

STIPULATION and ~~PROPOSED~~  
ORDER REGARDING PRODUCTION OF  
CONFIDENTIAL DEFENSE  
DOCUMENTS TO PROSECUTION

Date: July 24, 2013

Time: 2:30 p.m.

Court: The Honorable Edward M. Chen

Undersigned counsel stipulate as follows:

1. Defense counsel wishes to present argument to the Court at sentencing supported by sealed juvenile court and juvenile medical records currently in the possession of the defendant;
2. Government counsel has objected to the use of that material without an opportunity for review;
3. To preserve the interests of confidentiality, but also allow the government a fair opportunity to review the material, the parties have reached the following agreement regarding Mr. Videau's sealed juvenile medical, school, and court records;
4. The parties agree that on this day, July 17, 2013, the defendant will produce to the government one compact disc ("CD") containing Defense Documents 1-283;
5. The government agrees to take custody of this CD and maintain custody of the CD

1 in a confidential manner; meaning no person other than an employee of the U.S.  
 2 Attorney's office (paralegal, legal secretary, AUSA, supervising AUSA, etc.) may  
 3 review the material on the CD;

4 6. By means of her signature below, the prosecuting attorney agrees that she will not  
 5 copy, reproduce, save to hard drive or computer or thumb drive, or in any way  
 6 duplicate the CD or the materials contained therein. If the prosecuting attorney  
 7 elects to print the records to review on paper, she will maintain those records  
 8 within her custody and control at all times;

9 7. At the conclusion of the sentencing hearing and the pronouncement of judgment,  
 10 government counsel agrees to return the CD to the custody of Mr. Videau's  
 11 attorney, as well as any and all paper copies of the records contained within that  
 12 have been printed from the CD in preparation for sentencing. By means of this  
 13 stipulation, government counsel agrees that she will not retain any of the  
 14 aforementioned records (D 1-283), in either paper or electronic form after the day  
 15 of sentencing.

16 IT IS SO STIPULATED.

17 DATED: July 17, 2013

18 \_\_\_\_\_/S/\_\_\_\_\_

19 ELIZABETH M. FALK  
 20 Assistant Federal Public Defender

21 DATED: July 17, 2013

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23 DEBORAH DOUGLAS  
 24 Assistant United States Attorney

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**[~~PROPOSED~~] ORDER**

The stipulation entered into by the parties related to Defense Documents 1-283 is hereby adopted by this Court.

IT IS SO ORDERED.

DATED: 7/18/13

